LALIT NARAYAN MITHILA UNIVERSITY

Kameshwarnagar, Darbhanga

A Synopsis

For

Ph.D. Research Work on the

Topic– **Mapping Right to Sanitation: An analysis of the Open Defecation Scheme in Bahadurpur and Darbhanga Sadar Blocks of Darbhanga District, Bihar (from 2014 onwards)**

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Topic of the Ph.D. Synopsis

Mapping Right to Sanitation: An analysis of the Open Defecation Scheme in Bahadurpur and Darbhanga Sadar Blocks of Darbhanga District, Bihar (from 2014 onwards)

Statement of the Research Problem

Public Policies are aimed at alleviating the sufferings of common man. While doing so it also bridges the gap between the mainstream and the margin. Ensuring universal access to clean water and sanitation by 2030 is a crucial Sustainable Development Goal (SDG). India, a responsible nation, has made it a goal for the new millennium to provide everyone with access to clean water and a healthy environment, both of which are necessary for sanitation. However, the outcome was far from ideal. The United Nations' commitment to achieving this objective by the end of 2030 gave it fresh momentum. The policy makers have increased their efforts to achieve this goal while keeping it in mind.

The aim of the research is not just to grapple with the gap in policies and its performance rather to see that how a state having chequered record in the past, had taken upon itself to achieve the target. The role of community along with the juridical orders have been the pivotal in bringing turnaround in the sanitation policy. This study also aims to signify this particular adjunct to the public policy. This study will seek answers to the following questions:

- How far the implementation of right to sanitation has promoted inclusive development in Bihar?
- Does the political recognition of right to sanitation in India has increased the access to sanitation to all?
- What are the drivers of poor sanitation services and have been these are these currently been addressed in sanitation governance framework?
- Whether the politics of sanitation is further reproducing the existing social, economic and political asymmetries, in terms of caste and regional rivalry?

Research Coverage: Theme and Area

Sanitation, being a broad-based term includes within it many vectors-such as clean water, hygienic environment etc. There is no single definition of the term 'sanitation'.

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According to Robert Lenton et al. 'basic sanitation' refers to "the lowest cost option for securing sustainable access to safe hygiene and convenient facilities and services for excreta and sullage disposal that provide privacy and dignity while ensuring a clean and healthful living environment both at the home and in the neighbourhood of users. UN General Assembly in the year 2010 has recognized access to safe and clean drinking water and sanitation as a human right and called for international efforts to help countries to provide safe, clean, accessible and affordable drinking-water and sanitation. In India Several Judgements had underlined the importance of sanitation for the survival of humanity. It categorically asserted the 'access to sanitation' is a basic human right necessary for health, human dignity and general well-being. Despite efforts to address open defecation, many areas, especially rural areas, continue to face challenges in achieving universal sanitation coverage.

The Total Sanitation Campaign (TSC), also known as the Nirmal Bharat Abhiyan (N BA), was launched in 1999 in India with the intention of eradicating open defecation by the year 2017. Following the 2014 general election, when a new government was formed at the Centre, among its early interventions in public policy was the Swachh Bharat Mission (SBM) (Clean India Campaign). The pressure has been building up since then, with the Prime Minister personally putting his heft behind the campaign with reward and punishment pursuing statistics around an acronym minted in the 2000s: ODF (Open Defecation Free). This ODF scheme has specifically been targeted to attain total sanitation in rural areas. It deployed a mixed method of policy intervention as well as social campaign.

The Indian government's Open Defecation Scheme, launched in 2014, sought to address this issue by promoting toilet construction, behavior change and community engagement. This case study focuses on the implementation and effectiveness of this scheme in two blocks namely Darbhanga Sadar and Bahadurpur in Darbhanga district of Bihar. Darbhanga Sadar is an urban area while Bahadurpur is a rural area. The choice of these two blocks can also reflect upon the efficiency of the system, it is related to the urban-rural distribution in the success and expansion of the policy. With these priorities in mind, the Government of Bihar has undertaken several initiatives, either collaboratively or alone, to achieve the goal as Bihar stands low on cleanliness index. Many arguments have been pushed forward to explain this abyss. Illiteracy, debt and lack of sanitation are still challenges in rural India.

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The Bihar government has launched 'Lohiya Swachhta Mission' to supplement the efforts of Government of India to eliminate Open Defecation in rural areas by way of construction of 'Individual Household Latrines (IHHL)' along with the facilitation for the much-needed Behavioral change among the rural folks with regard to daily and regular use of toilets and the concomitant health benefits leading to all 8386 Gram Panchayats. Bihar has so far managed to achieve only 60 percent of its target (NITI Ayog Report, 2019). If we go by the recent statistics submitted by the National Family Health Survey-5, Despite the 22.9% rise in population having access to improved sanitation facilities, Bihar has been placed at the bottom after Laddakh in access to sanitation. The percentage of population with basic sanitation facility in Urban Bihar is 67.9% and it's just 43.5% in rural areas of the state. Still half of the state does not have access to sanitation facilities.

As far as Darbhanga is concerned, people living in households that use an improved sanitation facility has increased from 28.2 to 48.7 percent as per the data available on Government website. In the past, Sulabh Internation, an NGO, had made concerted efforts to get rid of uncleanliness and its multifaceted symptoms felt across caste and communities. It has succeeded in bringing issue back to the political and social firmament of Bihar and thus forcing state to address issues of manual scavenging, double pit latrines etc. on priority bases.

According to a report by Water Aid in 2017, India, with 732 million people lacking access to toilet facilities. It brings India in the list of top ten countries with inadequate toilet facilities and 355 million women and girls lacing access to toilet. The World Health Organization (WHO) and the United Nations Children's Fund (UNICEF) released their Joint Monitoring Programme (JMP) report for water supply, sanitation and hygiene for households for the year 2022. The JMP report gives status on access to water, sanitation and hygiene to monitor the progress on Sustainable Development Goal 6. According to this report, 17 per cent of the rural population in India still defecated in the open in 2022. One quarter of the rural population didn't have even "at least basic" sanitation facilities. The reality is that open defecation has not stopped and is still prevalent to a significant level. Perhaps this is the rationale for this study to evoke the issue of sanitation that failed to get proper attention through 'public policy intervention'. Right to sanitation as Basic human right has been advocated as an alternative to provide push towards total sanitation.

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In a significant judgement, Patna High Court observed that right to sanitation has been virtually accepted as fundamental rights like the right to water, the right to health, the right to healthy environment, the right to education, and the right to dignity. This underlines the significance of sanitation as policy and its primacy to human life. High Court in its judgement categorically observed "...the right to sanitation comes within the expansive scope of Article 21. The nature of obligation imposed upon the State is not only that of being a welfare state but also the realization of fundamental rights for every citizen, even the rights enshrined within Article 21, which forms the nerve centre of our constitutional consciousness.

Case Study

Darbhanga is one of the northern districts of Bihar. It is a municipal corporation town. Darbhanga is at present the headquarter of Darbhanga district as well as Darbhanga Division. It is the 5th largest city of Bihar. According to census 2011, the total population of the district is 3937385. The Male population is 2059949 and Female population is 1877436. The Population of Darbhanga Town is 371356. Agriculture is the primary economic activity in the district of Darbhanga. In terms of all parameters leading to a dignified life, this district has a unique distinction to be located among 115 aspirational districts of the countries. Darbhanga Sadar and Bahadurpur Blocks will be taken up to see the impact of Government schemes on sanitation and analyze the contrast and outcome. The reason for selecting these two blocks primarily to see the urban rural gap in policy implementation and their outcome. Darbhanga Sadar Block has a mixed population. Major chunk of this block falls into urban area and whereas Bahadurpur is relatively a rural settlement.

After independence, considerable attention was paid to the public provisioning but that hardly attained the objective of full sanitization. The concerted efforts by the state and Central government have fast paced the sanitary facilities in rural and urban areas. However much has to be done in order to attain the goals as outlined in the SDG and other obligations of the state and Union government

Review of the Literature

It is pity to find very few books and articles on the issue of sanitation and its implementation in Bihar. There are some books and articles which bear tangential relationship with the said theme and some of them are really worth mentioning here.

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Books:

Bindeshwar Pathak, a native of Bihar, has analysed the issue of sanitation in his book **"Sociology of Sanitation: Environmental Sanitation, Public Health and Social Deprivation"**. It is an authoritative text written to highlight the social context of sanitation. It assists us in recognizing the social norms that control our lives, whether they are sanitized or not. Social scientists investigate how these norms are established for human society, upheld, modified, handed down through the generations, and shared by individuals around the globe. Social scientists contextualize sanitation within the social domain. This means that social scientists examine behaviors, relationships, and the ways in which our wider environment impacts these aspects in addition to hygienic tools and procedures. The way society is set up around sanitation and social sanitation activities is known as a sanitation structure. It is worthwhile mentioning that Sulabh Campaign has been successful to a large extent in restoring the human dignity by advocating the abolition of manual scavengers in India.

One among them is recently published, **Right to Sanitation in India: Critical Perspectives,** by Philippe Cullet, Sujith Koonan and Lovleen Bhullar provides a critical perspective to the issue of sanitation and its realization for all and how it impinges upon the other issues such as health, gender equality and environment in the Indian condition. Though it tries to posits sanitation as a fundamental right, has advanced the public acceptance to the goal and concerns related to cleanliness. It however avoids touching the base line analysis of all the states and only focuses upon successful case studies involving few states and cities barring Bihar.

It critically analyses the contributions of the law and policy framework to the realization of the right in India, including the role of the Swachh Bharat Mission, institutional aspects, initiatives to foster community participation, infrastructure dimensions, wastewater treatment and re-use, manual scavenging and rights of sanitation workers, and gender dimensions.

The relationship between migration and rural misery in Bihar and how it perpetuates deprivations in the rural areas is the main focus of the book "**The Challenge of Inclusive Development in Rural Bihar**" written jointly by Gerry Rodgers, Amrita Datta, Janine Rodgers,Sunil K. Mishra and Alakh N.Sharma. It illustrates the state of living standards, poverty, and social marginalization as well as the results of creative policy and better

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governance. Furthermore, it identifies research and policy priorities that Bihar should follow in order to build on its recent successes and start down a sustainable route toward equitable growth. It is filled with studies, information, and references that could provide a better understanding of inclusive development in Bihar.

Articles &Monographs:

Bas J. M. van Vliet, Gert Spaargaren and Peter Oosterveer published an article **'Sanitation under challenge: contributions from the social sciences'** as to show the contribution, the social sciences can make to the challenge of providing access to sustainable sanitation services and infrastructures for billions of people, in both the over- and underdeveloped parts of the world. The paper reviews and discusses three particular social scientific topics relevant for the sanitation challenge: the nature of socio-technical change, the issue of multilevel governance, and the role of the citizen-consumer. It is argued that sanitation is as much a social as it is a technical issue, and that the role of social scientific knowledge needs to be strengthened and given more attention in this context. The key contribution from the social sciences is to be found in its capacity to help widen the narrow, technical definitions of sanitation by including actors and their needs and belief systems, and by highlighting the alternative socio-technical tools and governance arrangements that are instrumental in moving beyond some of the dead-end roads of traditional water engineering and sanitation provision.

Inga T. Winkler in the article **"The Human Right to Sanitation"** has tested several hypotheses up linking sanitation to the core public policies. Human dignity is intrinsically tied to sanitation, making it a very private and intimate issue. Sanitation also has a significant impact on public health. From this perspective, sanitation encompasses more than just a person's right to use a restroom or latrine. When there is inadequate sanitation, waste and excrement contaminate public areas, the environment, and water bodies. As a result, contamination negatively affects everyone in the community's life, health, and well-being, impairing their human rights to food, shelter, and a clean environment. *It has rightly drawn the attention of policy makers to see sanitation through the prism of human rights*. Sanitation is difficult to comprehend and address due to the multiplicity of rights involved. Highly informative yet not touching upon the life and difficulties of people in India, particularly Northern Bihar where a deep entanglement between the poor sanitation and poverty persist to the extent that it's difficult to believe which action first may vanquish the other.

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Tanushree Bhan in her monograph entitled "**Deserving poor in public sanitation: Tracing the policymaking processes of who gets what, when, how, and why in Delhi**" carefully analysed the interrelationship of sanitation, public policy and citizenship in the study done across several communities of urban poor in Delhi. She asserts that 'inequitable sanitation outcomes are manufactured by biases that blame the poor for service deficits and make the provision of entitled benefits contingent on political mobilization of exhibiting "good citizenship."

Objectives of the Research

The main objective of this study is to explain and analyze the extent to which sanitation has become an enduring public policy concern through a clear and micro analysis of the effectiveness of open defecation scheme. The Government's commitment to provide the facilities through the intervention of schemes inherently faces a roadblock. That is, somewhere the political cost and benefit are factored in providing the pace and purpose. There are several irritants in the path of attaining 'total sanitation'. This study will look into all these aspects from policy intervention to policy implementation. In order to do so it also goes into the history as how the post-colonial policies towards sanitation and its implementation have progressed in Bihar to predict its totality for human community. It is more so important in the case of Darbhanga, the nucleus around which this study revolves. it is precisely this has captured the imagination of political scientist to see thing in a broader perspective.

The reason underlying the selection of 'Darbhanga' as a case study lies in the fact that this region has been the least urbanized and highly unsanitized. It is worthwhile to mention that Darbhanga is one of the poorest districts on the Atlas of India. There are some important points also to be looked into:

- Threadbare analysis of sanitation policy and how it has progressed at State level particularly after 2014.
- How Politics is being played out in the name of 'sanitation'.
- Is sanitation a public good accessible to all without any hinderance or differences?
- Does that warrant to have the bestowment of 'sanitation' as basic human right?

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Hypotheses

- Sanitation outcomes vary across communities and regions in Darbhanga due to the socio-economic conditions of the people.
- Unequal access to sanitation has serious implications for the health, dignity and economic well-being of the people.
- Human rights are infringed by poor sanitation in Darbhanga District.

Contributions of the Research Work to the Discipline and Allied Disciplines

Politics is dominant in decisions about cleanliness and the changes need to emerge from within the political process, which should be democratic and transparent. The assumption is that political process takes care of the consensus building needed to implement rational design.

Since this study intends to analyze the theme that largely falls into two different disciplines viz. politics and law. So far, the study on public policy and its goal has been analyzed through the binaries of 'success' and 'failure' and significantly attributed to the human and social conditions and their complex interplay on the outcome. This research goes beyond this binary to test and verify also the theory of social construction of target populations developed by Anne Schneider and Helen Ingram to understand how policy treats some people better (or worse) than others by examining the *design* and *content* of public policy in the policymaking process. The Schneider-Ingram framework sheds light on why some policy rules and tools are chosen over others, and how the intersectionality of social construction and political power of target populations impinge upon the selection of formal and informal rules to produce differential policy impact.

Public policy approach is the guiding idiom of our analysis. The major concern of the public policy dealing with sanitation system in recent years has been the efficacy and equity in share. The solution to equity problem, however, lies in the political commitment and supportive change in the administrative protection and organization. Policy implementation begins with the agency of state authorities in the context of ongoing social system. John E Gent notes that public policy may also promote new patterns of political mobilization or establishes new rules that legitimate novel strategies.

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Since conceptualization is the basis of theoretical formulation and influences policy making in a significant way, it is important to clarify some of the points which we will encounter during research work. Right as a concept in political science has a broad conceptual ambit. Having been grounded in 'morality' the right and its protection has been as one of the important, as Hegel puts, the ethical responsibility of the state. As progressed further, it has been casted in terms of duty as it enjoins upon the beneficiaries of right having a commensurate duty and obligation.

The value of 'participation' for the sustainability of democracy has been the most important theme for political philosophers. It has remained the continuing concern of political scientists as to how to increase the effective participation and how to cope up with it. People's involvement is desirable when large scale development work is carried out. It constitutes a cornerstone in a working democracy. Dwelling upon it as an important attribute to democracy, Prof. Jayal stresses that 'participation enhances political efficacy, evokes in citizens a concern for matter of common interest, and helps to create aware and knowledgeable citizens who can contribute constructively to the process of governance However, it has often been found that political participation is not evenly distributed among the citizens.

This study examines the implementation and impact of an open defecation program in two blocks of Darbhanga district, Bihar, Bihar since 2014. However the outcome of this study will provide a roadmap to all such region where the social conditions are similar and political interventions are somewhat surreal. Insights from this study aim to inform future policies and initiatives aimed at achieving universal access to sanitation.

Methodological Approach

The study employs a mixed-methods approach, combining qualitative interviews, surveys, and data analysis. Qualitative interviews are conducted with key stakeholders, including government officials, community leaders, and beneficiaries of the scheme. Surveys are administered to households to assess toilet coverage, usage, and perceptions. Data analysis involves both quantitative analysis of survey data and qualitative thematic analysis of interview transcripts.

Since this study intends to analyze the theme that largely falls into two different disciplines viz. politics and law, the discourse analysis will fit into such kind of analysis. It is broadly multidisciplinary involving the legal and social science research methods.

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Elaborate field study has to be carried out based on the broad parameter of interview schedule technique. It will involve the layers of structure viz. people at the local level, intermediary and those who matters in this field and care will be taken while sorting out the list of personnel, directly or indirectly associated with Sanitization administration.

Documents/articles and literature and significant judicial decisions and verdicts will be cited to support the analysis of the underlying agenda and motives of the institutions, as well as of the institutional structures, policies, practices and discussions relevant to this study. Contemporary government records are also a rich source of information, which will shed light on the relationship between public policy and political development. The research focuses on the right to sanitation and examines the challenges, progress and lessons learned in addressing open defecation in both rural and urban areas. Using qualitative and quantitative analysis, the study evaluates the system's effectiveness in improving sanitation practices, community health impacts, and overall well-being.

Given the time constraint it is but natural to limit this study to last ten years, without compromising on to quality of the research. Also, year 2014 saw a paradigm shift in the approach towards 'sanitation' of Bihar Government as it recognized "Sanitation" as an important goal around which their policies will converge.

Work Plan: Tentative Chapterization

Chapter– 1 : Introduction

Chapter– 2 : Government's Sanitation Policies since 2014

Chapter– 3 : Right to Sanitation as a Human Right in India*

Chapter– 4 : Sanitation Policies and Inclusive Development in Bihar

Chapter– 5 : Implementation of Sanitation Policies in Darbhanga District of Bihar

Chapter– 6 : Concluding Remarks and Suggestions

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* **Note:** As the empirical research and writings of theoretical framework progresses, this section will undergo appropriate revision.

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